

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20502

August 7, 2019

Sai
Muck Rock News
Dept. MR 75099
411 A Highland Avenue
Somerville, MA 02144-2516
75099-96740792@requests.muckrock.com

Re: OSTP-FOIA-19-057

Dear Sai:

This letter is in final response to a Freedom of Information Act (henceforth “FOIA”)¹ request submitted to the Office of Science and Technology Policy (hereinafter “OSTP”) on June 10, 2019. Specifically, the request sought:

- “[T]he single email [] that:
 - 1) [W]as sent within 3 days of 2019-04-20;
 - 2) [I]s from or to any email address, used in official capacity, of any person working for [OSTP’s] highest-ranking set of people (e.g. headquarters, senior employees, etc) at the time of the email;
 - 3) [H]as an attachment larger than 50 KB; and
 - 4) [A]mong all emails matching the above two constraints, has a sent timestamp closest to 2019-04-20, 4:20 pm (local time to the person whose email address it is to it from)”;
- “[A]ll records relating to the fulfillment of this request, such as FOIA logs, documentation of searches, referral emails, etc.”

Following receipt of the request, OSTP conducted a search of its files and located records responsive to this request. OSTP identified three records totaling 35 pages that it is releasing in part, with redactions taken pursuant to Exemption Six of the FOIA.² Below is the explanation for the exemption claimed and its application to the responsive record in this request.

Exemption Six

Exemption Six of the FOIA protects the privacy interests of individuals.³ It permits an agency to protect information within “personal and medical files and similar files” if disclosure “would constitute a clearly unwarranted invasion of personal privacy.”⁴ To determine whether information may be withheld under Exemption Six, an agency must undertake a three-step analysis. First, the agency must determine

¹ 5 U.S.C. § 552.

² 5 U.S.C. § 552(b)(5), (6).

³ 5 U.S.C. § 552(b)(6).

⁴ *Id.*

whether a protectable privacy interest would be compromised by the disclosure of the record.⁵ If no privacy interest is identified, the information may not be withheld pursuant to the exemption.⁶ Second, the agency must determine whether the release of the document would further the public interest by shedding light on the operations and activities of the government.⁷ In cases where no public interest exists, “even a modest privacy interest[]” will outweigh it every time.⁸ Finally, the agency must balance the identified privacy interests against the public interest in disclosure.⁹ In this case, OSTP is withholding 1) direct telephone lines and e-mail addresses; 2) application materials from an individual who sought employment at OSTP, but whom OSTP did not select; and 3) the names of individuals submitting Privacy Act requests on their own behalf. First, individuals, including OSTP employees, have a protectable privacy interest in maintaining the confidentiality of their direct lines and email addresses as their release would potentially subject them to harassing contact from the public. Next, individuals who apply for positions within the Federal government and are not chosen have a privacy interest in ensuring that the details surrounding their unsuccessful applications not be distributed publicly.¹⁰ Finally, with regard to the names of individuals who request agency records concerning themselves, the Privacy Act of 1974 creates a privacy interest in the identity of those persons.¹¹ Since the release of this information does not shed light on the operations of the federal government, there is no public interest in its release. Accordingly, the privacy interests inherent in the withheld information outweighs the public interest in release and the information may be withheld pursuant to Exemption Six.¹²

This completes the processing of the request and OSTP now considers the request closed. Pursuant to the FOIA and OSTP regulations, a requester may submit a written appeal contesting any adverse determination regarding records originating at OSTP.¹³ Any appeal related to OSTP’s processing of the requested records must either be sent: 1) via e-mail to OSTPFOIA@ostp.eop.gov; or 2) by mail to Chief FOIA Officer, Office of Science and Technology Policy, Eisenhower Executive Office Building, 1650 Pennsylvania Ave., NW., Washington, DC 20504.¹⁴ In the appeal letter, please specify OSTP Control No. 19-057, “the records requested, and the basis for the appeal.”¹⁵ Any appeal must be sent to one of the above listed addresses no later than ninety (90) calendar days of the date of this letter.¹⁶

Finally, requesters also have the right to seek dispute resolution services from OSTP’s FOIA Public Liaison or the Office of Government Information Services (hereafter “OGIS”). To employ these services, please contact Andrew Mendoza via telephone at (202) 456-4444 or by way of e-mail at OSTPFOIA@ostp.eop.gov. If you would prefer to contact OGIS, you may do so in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphia Road-OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov

⁵ See *Multi AG Media LLC v. Dep’t of Agric.*, 515 F.3d 1224, 1229 (D.C. Cir. 2008).

⁶ *Id.*

⁷ See *id.*

⁸ *Nat’l Ass’n of Retired Fed. Employees v. Horner*, 879 F.2d 873, 879 (D.C. Cir. 1989).

⁹ *Dep’t of Defense v. Fed. Labor Relations Auth.*, 510 U.S. 487, 497 (1994).

¹⁰ *Core v. United States Postal Serv.*, 730 F.2d 946, 948-49 (4th Cir. 1984); see also *Judicial Watch, Inc. v. Export-Import Bank*, 108 F. Supp. 2d 19, 38 (D.D.C. 2000).

¹¹ 5 U.S.C. § 552a.

¹² *Id.*

¹³ 5 U.S.C. § 552(a)(6)(A)(i)(III)(aa); 32 C.F.R. § 2402.7(a); 32 C.F.R. 2402.5(g)(2).

¹⁴ 32 C.F.R. § 2402.7(b).

¹⁵ *Id.*

¹⁶ 5 U.S.C. § 552(a)(6)(A)(i)(III)(aa).

Telephone: (202) 741-5770
Fax: (202) 741-5769
Toll-free: 1 (877) 684-6448

If you have any questions, please do not hesitate to contact me via telephone or by way of e-mail.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew G. Mendoza", with a large, stylized initial "A" and "M".

Andrew G. Mendoza
Senior Legal Counsel and Policy Advisor

FW: Follow up on workforce/STEM

From: "Kontos, Chloe C. EOP/OSTP" (b)(6)
To: "Kratsios, Michael J. EOP/OSTP" (b)(6)
Date: Sat, 20 Apr 2019 14:51:26 -0400
Attachments: (b)(6) (1.38 MB)

Do you know (b)(6) ? Jeff told him contact me.

From: (b)(6) (b)(6)
Sent: Thursday, April 11, 2019 10:07 AM
To: Kontos, Chloe C. EOP/OSTP (b)(6)
Subject: Follow up on workforce/STEM

Hi Chloe!

Sorry to ambush you earlier, but nice to say hello in person! When you have time, I'd be delighted to sit down and learn more about what you're looking for and see if there's alignment.

I was very pleasantly surprised when Jeff put the potential role on my radar – I am extremely passionate about workforce and higher ed because the driving theme behind my research agenda is how individuals respond to change and incentives, particularly relating to their human capital choices. In fact, it's precisely these issues that have captivated my policy interest, prompting me to defer my return to academia another year or so.

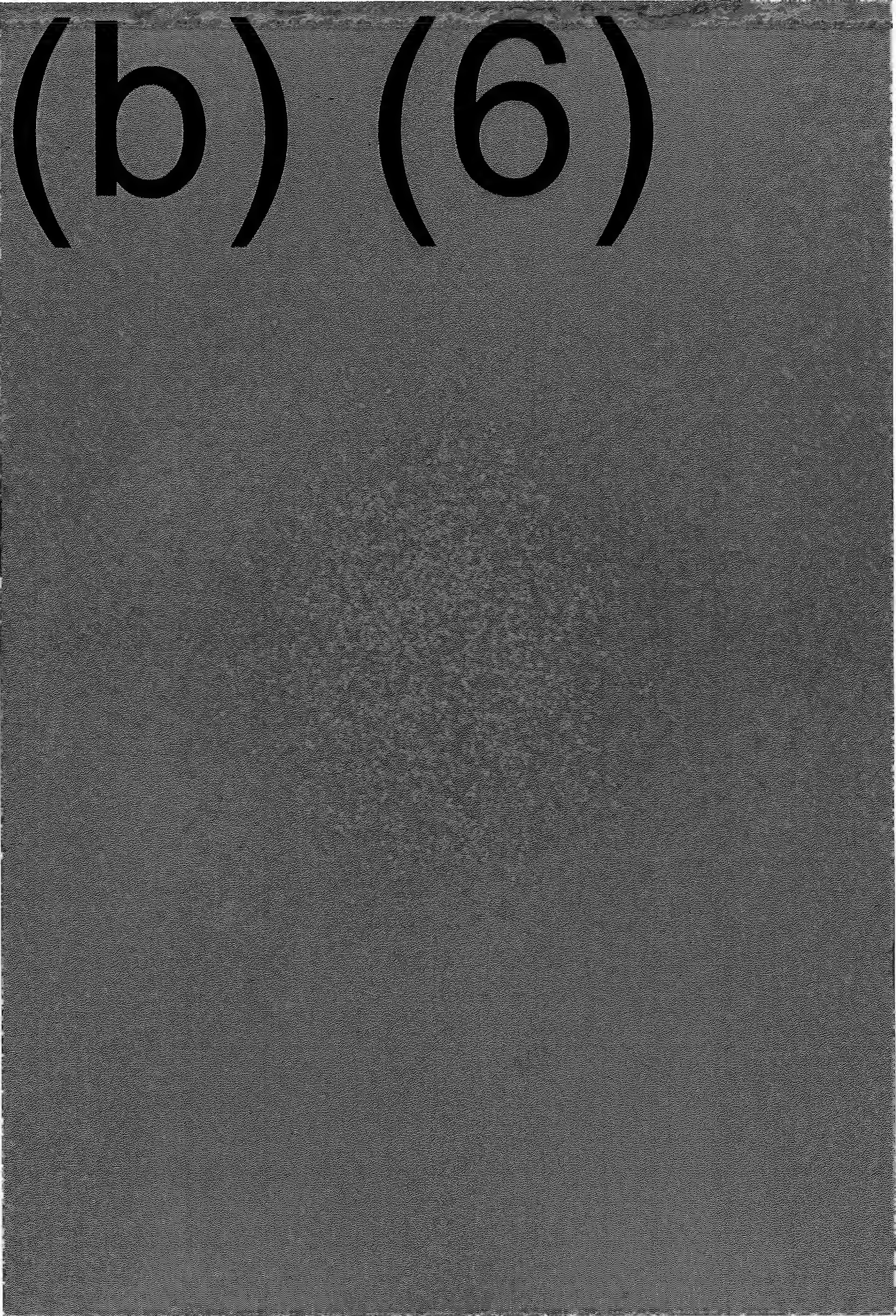
(b)(6)

Much more to discuss and share if you're interested in talking further – thanks again for your diligent service and dedication!

(b)(6)

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(b) (6)



(b) (6)

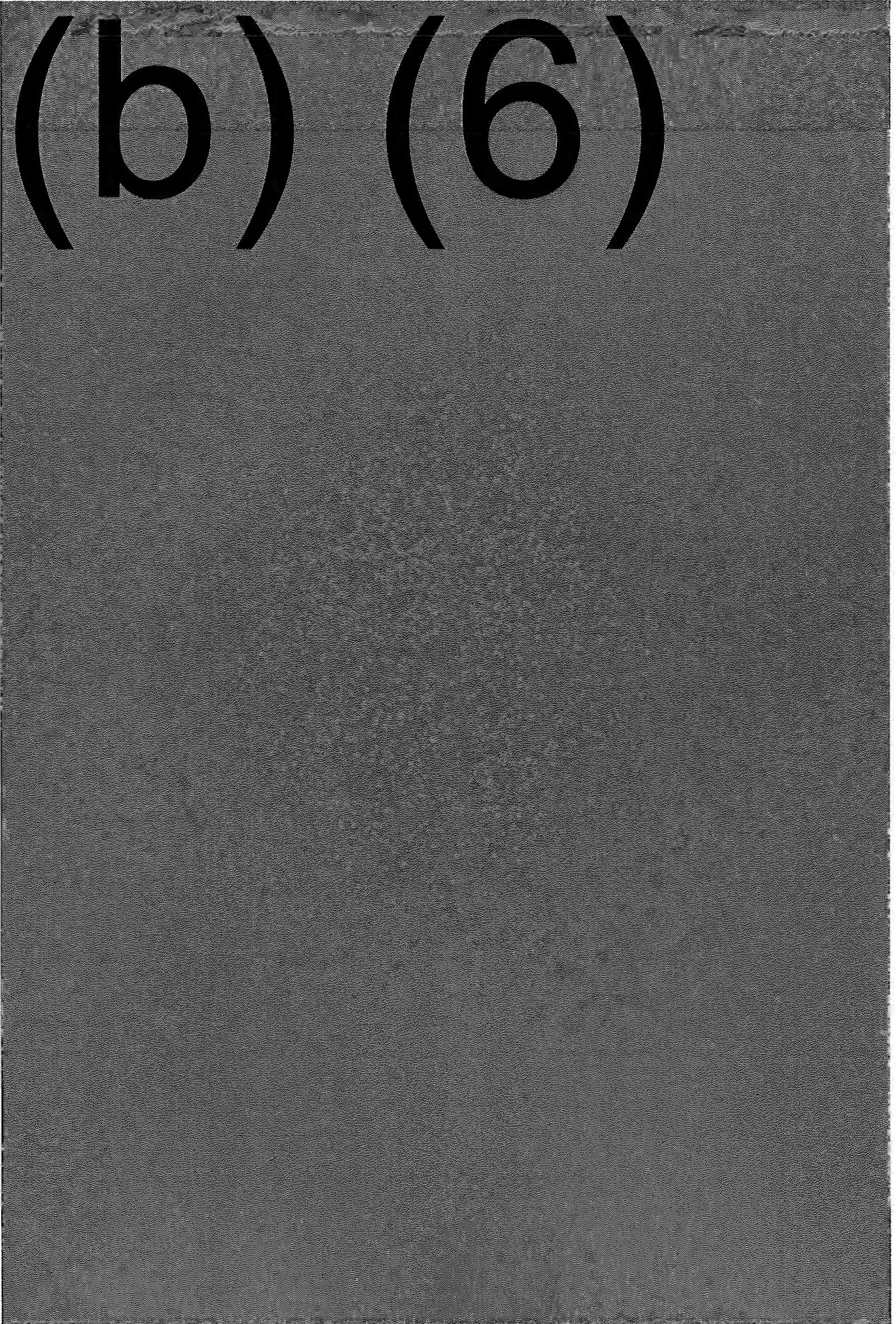
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Mendoza, Andrew G. EOP/OSTP

From: FN-OSTP-OSTPFOIA
Sent: Monday, June 10, 2019 1:53 PM
To: Mendoza, Andrew G. EOP/OSTP
Subject: FW: [EXTERNAL] Freedom of Information Act Request: One email, per organizational unit, dated 2019-04-20 (Office of Science and Technology Policy (Executive Office of the President))

Here is the second request.

From: 75120-86186304@requests.muckrock.com <75120-86186304@requests.muckrock.com>
Sent: Monday, June 10, 2019 11:41 AM
To: FN-OSTP-OSTPFOIA <OSTPFOIA@ostp.eop.gov>
Subject: [EXTERNAL] Freedom of Information Act Request: One email, per organizational unit, dated 2019-04-20 (Office of Science and Technology Policy (Executive Office of the President))

Office of Science and Technology Policy (Executive Office of the President)
FOIA Office
1650 Pennsylvania Avenue Northwest
Washington, DC 20504

June 10, 2019

Dear Office of Science and Technology Policy (Executive Office of the President):

This letter is a formal Freedom of Information Act request for the following records.

This request covers every Office of Science and Technology Policy (Executive Office of the President) component, including component agencies, departments, offices, OIGs, etc. See "# Forwarding; multi-agency / multi-component records" below. Again, this request is directed at BOTH Office of Science and Technology Policy (Executive Office of the President) itself, and ALL components thereof, including any component agencies.

At your discretion, you may either apply only a single tracking number for the whole request tree (acting for all subcomponents), or each subcomponents may apply its own tracking numbers.

In either case, you are expected to strictly comply with 5 USC 552(a)(6) and (a)(7).

In particular, you are expected to provide notice (by email) of all referrals made, and any other tracking numbers of which you are aware.

This request is part of an all-agency FOIA audit. Your performance will be tracked, analyzed, and published.

Any unlawful patterns or practices discovered in the course of this audit will be highlighted for public shaming, and will likely be litigated for permanent injunctions.

Any particularly good performance will, by the same token, be highlighted for public praise.

A. One email per organizational unit

I hereby request, for every component agency, office, subcomponent, department, or other formal organizational unit, the single email (but see below re "All parts of the record") that:

1. was sent within 3 days of 2019-04-20;
2. is from or to any email address, used in official capacity, of any person working for that organizational unit's highest-ranking set of people (e.g. headquarters, senior employees, etc) at the time of the email;
3. has an attachment larger than 50 KB; and
4. among all emails matching the above two constraints, has a sent timestamp closest to 2019-04-20, 4:20 pm (local time to the person whose email address it is to it from).

###

Fiat Fiendum FOIA template

Version 5.0

###

FOIA template structure

All content after the version number line above, except for the contact details at the very end, is part of my standard FOIA request template and identical between all of my FOIA requests. The provisions below are generally applicable to all FOIA / Privacy Act requests that I make.

There is one exception: the contact details below my signature at the very bottom (provided by MuckRock) are different for each request. Please use the distinct contact details matching each request, to ensure that your responses are correctly tracked.

The template provisions specify e.g. additional requests relating to my FOIA/PA requests themselves, form and format, timing, redaction & review, rolling updates, § 508 compliance, identity, fee waiver, my identity, and the like. They apply to this request, but are not specific to it.

If anything in the request-specific section above explicitly overrides anything in this template section, the request-specific section controls. If there is any ambiguity about such an override, please ask me for clarification.

The version number above is provided to make it easier for you to process my requests. Since all content (except contact info) below identical version number lines is identical between my requests, you need track only the request-specific portions (at the top) and the latest version of my general provisions.

Please read each new version carefully, as updates generally contain substantive changes.

Template version updates

If you receive any FOIA request from me with a newer template version number than any pending prior FOIA requests from me, please replace the template portion of all prior requests with the updated version, treat the

update as a clarification of and/or extension to the prior request, and process each updated request accordingly. Do not close the original request or change its request date. If you are permitted by law to refuse to honor such an update, and you choose to exercise that refusal, please process any differences between the new version and the prior version as a new FOIA request in its own right.

Additional FOIA requests

In addition to the records specified in the request-specific section above, I also request:

B. all records relating to the fulfillment of this request, such as FOIA logs, documentation of searches, referral emails, etc.

This part of the request is to be processed only after you have completed processing all of the above parts. This part does not request that you create any new record; rather, it requests the records that you will have created in processing the above parts, and will therefore exist before you conduct the search for this part. See *McGehee v. CIA*, 697 F. 2d 1095, 1100-05 (D.C. Cir. 1983) (agency must use time-of-search cut-off date, not time-of-request).

C. all records relating to any complaint(s), FOIA request(s)/appeal(s), and/or Privacy Act request(s)/appeal(s) made by me. This includes, but is not limited to:

1. all records relating to the processing my previous requests, complaints, etc;
2. all records containing the terms my name, email address(es), and other contact or identifying information, listed below my signature; and
3. all records containing any of my complaint, request or appeal identifiers.

Parts (B) and (C) must be processed only after you have processed the items above that line, i.e. such that at the time of the search, the records described will have already been created at the time you conduct the search. Part (C) must be processed after part (B) is completed.

Parts (B) and (C) may overlap with similar prior requests. However, the cut-off date is, at earliest, the date that you complete search on all of the above items. If you wish to administratively merge this request with a prior similar request, I consent on condition that you extend the cut-off date for the prior request, and provide rolling updates. Otherwise, you must treat this as a new request.

For all responsive records, I also request:

D.

1. all parts of the record (i.e. no portion of a record with some responsive portion may be considered "non-responsive");
2. all versions of the record, whether or not currently in use;
3. all record metadata, such as dates on which they were drafted, passed, went into effect, withdrawn, or similar events; person(s) / office(s) responsible; authors; IDs; revision numbers; etc.;
4. a detailed index of all claims of exemption/privilege, regardless of whether the record is claimed to be exempt in whole or in part;
access to inspect the record directly, in its native electronic format; and
5. if any classification applies, mandatory declassification review (MDR) under E.O. 13526, and the result of the MDR, including any declassified records.

"All parts of the record" means that the "record" should be considered to be the most comprehensive record with any responsive portion. For instance:

- a) if any portion of an email is responsive, the entire contents of all email thread(s) to which that email belongs

is also responsive (including attachments);

b) if a record is part of a larger record, such as a responsive table that is in a chapter of a report, then the entire larger record (e.g. the full report) is responsive, together with any appendices, amendments, etc.;

c) if a record is part of a book, the entire book is responsive;

d) if a record is part of a database, all related database records are responsive;

etc.

"Related database records" has the technical meaning used in relational database management systems (such as SQL). It recursively includes all directly and indirectly related records (starting with all responsive records, include as responsive the full row of each, and recursively include as responsive all rows for which any responsive record has a foreign key or is referenced by a foreign key), together with the schema for all responsive records.

Items in part (D) should be prioritized at the same level as the record they apply to.

Timing

For all requests above, the "cut-off date" is, at the earliest, the date that you conduct the search.

The priority order listed above is only for items that may take extra time to respond to, and must not be taken as blocking response to an otherwise lower priority item that could be released more quickly than a higher priority item that is pending time-intensive search or review.

FOIA IA notice

Please note that this request is made after the enactment of Public Law No. 114-185, S. 337 (114th), the FOIA Improvement Act of 2016 (FOIA IA). The revised statute, as specified in the FOIA IA, applies to this request. FOIA IA § 6.

In particular, please note that:

1. you must provide electronic format documents, §§ 552(a)(2) (undesignated preceding text), 552(a)(2)(E) (undesignated following text), 552(a)(3)(B), and 552(a)(3)(C);
2. you may not specify an appeal duration less than 90 days, § 552(a)(6)(C)(A)(i)(III)(aa);
3. you may not withhold any record unless "the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b), or disclosure is prohibited by law", § 552(a)(8)(A)(i);
4. you must segregate and partially release records where possible, §§ 552(a)(8)(A)(ii) and 552(b) (undesignated matter following (b)(9)); and
5. you may not claim deliberative process exemption for records more than 25 years old, § 552(b)(5).

"Record" defined

For the purposes of this request, except as otherwise specified, "record" means any agreement, appendix, application, assessment, attachment, checklist, circular, contract, correspondence (including but not limited to email), data management plan, documentation of search parameters, email, email attachment, form, guide, handbook, index of records, information consent agreement, information sharing agreement, instruction, interpretation, kit, management instruction, manual, memorandum, memorandum of understanding, notice, notification, opinion, order, plan, policy, policy statement, processing note, publication, recording, referral, report, request certification form, request detail report, response, rule, script, standard operating procedure, submission, talking point, training document, video, or related record described, regardless of publication status.

Anti-duplication exclusion

This request specifically excludes providing me with new copies of any records which have been already provided to me or published online for free (e.g. on the agency's online "reading room"), in full or identically to the form that would be provided to me under this request (i.e. with exactly the same format, redactions, and claimed exemptions).

This is only an exclusion on providing records under this request that are identical to those already provided to me or available online, and only if I am or have already been provided a link to the online version (if "available online").

This exclusion is only intended to limit unnecessary duplication or provision, not to limit what records are responsive to this request, nor to permit failure to disclose the location of a responsive record available online. If this exclusion would in any way increase the cost or duration to respond to this request, it is to be ignored to the extent it does so.

This request is to be treated as separate from all others that I have filed.

Forwarding; multi-agency / multi-component records

Please forward this request to the FOIA office of every agency component and subcomponent that may have responsive records for independent processing, with a copy to me.

This request includes any records held jointly by your agency in conjunction with any other agency and/or department, in interagency and/or interdepartmental systems of records, or by other agencies or third parties (including contractors) acting pursuant to any agreement with your agency.

Minimal redaction

Please note that the FOIA requires you to service the maximum extent of my request that can be done via e.g. partial redaction of exempt material. If you believe some portions of a record to be exempt because it contains Sensitive Security Information (SSI, 49 CFR 15 & 1520) or classified information (18 USC 798), please provide a version of the record redacted to the minimum extent necessary to remove exempt information (e.g. per 49 CFR 1520.15), along with adequate information to describe the reason for each specific exemption.

Redaction of repeatedly occurring content

When redacting any content that appears more than once in the full set of responsive records, please assign a replacement identifier for each, so that your redaction does not obfuscate the commonality.

For example, suppose that responsive records include the names Alice, Bob, Charlie, and Diego, and you determine that each of those names are redactable (e.g. under (b)(7)(C)). Rather than redacting each with only the text "(b)(7)(C)", replace each instance of "Alice" with "(b)(7)(C) - Person 1", each instance of "Bob" with "(b)(7)(C) - Person 2", etc. This e.g. withholds Alice's identity while not withholding the fact of commonality between occurrences.

Please use reasonably descriptive identifiers. For instance, if Elizabeth's name is not redacted but her personal cellphone number is, and that cellphone number appears e.g. both in her email signature and elsewhere by itself, it should in both cases be redacted with the same descriptive identifier, such as "[Alice's cell #]". For documents, this can be specified in the margins. If space or file format does not permit you to do so, then please use a short code (e.g. "[#52]"), and provide a table matching codes to full identifiers in your response letter.

If you make any such redactions, please keep but do not provide a table matching codes/identifiers to the redacted content, for use in case your redaction is examined or overturned on appeal or in litigation.

This is a form and format request pertaining to your process of redaction. Because it only applies in situations when you have already exercised the voluntary decision to alter the records from the original form requested, you have necessarily waived any objection to this section "creating a new record", since your act of redaction itself already "makes a new record" in that limited sense. This is only about how you do a redaction you have already decided to make.

This provision limits the scope of your redaction to the minimum possible extent, so that even if you decide to withhold some particular piece of content, you do not also withhold the fact of its being the same as the same content appearing elsewhere. That fact is itself metadata that is explicitly requested as part of this request.

If you decide that the mere fact of two pieces of content being the same is itself withholdable, then please redact it using an identifier that encodes only the reason, and provide a table matching those reason-only identifiers to justifications in your response letter.

Estimates and rolling updates

In order to help tailor my request, please provide an upfront estimate of the time and cost it will take to complete this request, broken down any significant factors that would affect cost to service, number of records in each category, and your estimate of how many records in the category are likely to be exempt.

Please provide me with incremental updates, with updated estimates for fulfillment of the remainder, rather than having the entirety of the request be blocked until fully completed.

No new records; electronic & original format

This request does not ask you to create new records.

If you determine that a response would require creating a new record that you do not want to create, please first contact me by email with an explanation of what records you have that would most closely match the information requested and might be acceptable substitutes, so that we can reasonably tailor the request.

In particular, I specifically request that you do not create new documents in response to this request that are modifications of a digital record, such as page-view images, print views, scans, or the like. No such creation or substitution is authorized by FOIA or the Privacy Act.

However, if the same or similar records are held in both electronic and paper formats, this request includes both the paper and electronic versions. The paper version and the digital version are distinct records, and each may contain distinct information such as handwritten or other markings on the paper copy and embedded metadata in the electronic version.

I specifically request both the original, electronic format record, and (if it contains any additional markings) the paper record.

To the extent that the native electronic format is proprietary or otherwise not in format accessible by widely available, open source software, I also request

1. an export of the proprietary format into a standard, open format, as described below, and
2. all proprietary software necessary to use and understand the original, proprietary format records.

Rehab Act § 508 compliance

In accordance with 5 USC 552(a)(3)(B & C) (E-FOIA), Rehabilitation Act § 508, and FOIA IA, I demand that you respond using original, native format, electronic, machine-processable, accessible, open, and well structured records to the maximum extent possible — for both the content of your response, and any communications about the request (such as response letters).

This means, e.g.:

1. native, original format records rather than PDFs or other conversions (see note above re providing both native electronic records and scans of paper records, if both exist);
2. individual files per distinct source record (e.g. one .msg file per email), named clearly using the record's identifier, title, and date, rather than a single file containing multiple concatenated records;
3. records compliant with the Rehabilitation Act § 508, 36 CFR Part 1194, and ISO 14289-1;
4. fully digital text records rather than scans, rasterizations, or OCR;
5. complete electronic records, as held on any computer (including phones, servers, backup servers, mail servers, workstations, etc.), including all headers and attachments, fully expanded e-mail addresses, full addresses for address "aliases", full lists for "distribution list" aliases, all embedded and external metadata, complete bitwise digital copies of the original file, all file headers, and all other file content;
6. blackout rather than whiteout redactions, with every redaction marked with all exemption(s) claimed for that redaction;
7. digital redactions rather than black marker or rasterization;
8. lists and structured data as machine-processable spreadsheets (e.g. CSV, SQL, XSL) rather than word documents (e.g. DOC, PDF, TXT, RTF) or partial printouts (e.g. PDF),
9. open format records (e.g. PDF, AVI, MPG) rather than proprietary format records (e.g. WordPerfect, Microsoft Advanced Systems Format (ASF)) (note above re providing both original, proprietary format records and open format records);
10. scans rather than paper copies;
11. digital audio/video files rather than physical tapes;
12. upload to your Electronic Reading Room (or other publicly accessible server) rather than personal transfer (for all items other than the item requesting records related to me or my requests);
13. email or (S)FTP file transfer rather than CD;
14. email correspondence rather than physical mail; etc.

Compression, passwords, and uploading large files

Multiple files may be sent in a combined, compressed form using standard ZIP, TAR, GZIP, BZIP2, and/or RAR formats, or sent as separate files, at your discretion.

Do not use any password on any files, including ZIP files etc., unless a password was present in the original, native format (in which case, leave it unaltered, and send me the password).

If there are any files you prefer not to transfer by email (e.g. if they are >10MB), please upload them to me via the link listed below my signature. Doing so is secure, completely free to you, and I will be notified of the upload.

No physical "duplication"; inspection & direct access

Please note that this request does not request that you physically "duplicate" records, as I do not want you to create any paper or other physical copy for me — I only want electronic versions (or scans, for records that are not fully available in electronic form). As such, I expect there to be no duplication related costs.

Furthermore, I specifically request access for inspection of the records, including direct electronic access, in native format, to any electronic records.

Request tracking numbers and estimated completion date

Upon receipt, and in every followup response, please state your tracking number(s) for this request, as well as your specific estimated completion date. 5 USC 552(a)(7).

Communication about this request and method for responding

If you have any questions or updates about this request, please contact me by email, using only the MuckRock email address from which this request was sent. Please do not send responses to my personal or organizational email addresses unless I specifically request you to do so.

Please ensure that all of your responses comply with § 508 of the Rehabilitation Act, 36 CFR Part 1194, and I SO 14289-1.

In particular, please make all correspondence pursuant to this request — including notification and responsive records — by email, with native electronic format records, as specified in the request. I do not authorize you to send anything to me by physical mail unless I specifically state otherwise.

Do not respond using ZixCorp "Secure Mail" or any other method that "expires" records from being available. Use only actual email and direct attachments, or upload using the link below, unless I explicitly request otherwise.

"Reasonable description" and tailoring

Please note that a request need only be "reasonably described" in the sense that you understand what is requested and where you can find it. A request is not improper merely because of the amount of responsive records. I will not agree to a limitation premised on this request asking for voluminous records. However, I may agree to a limitation premised on the difficulty of finding particular records or categories thereof, the quality of records available, paper vs electronic format, or similar issues.

If you believe that any of the requested items are not reasonably described, that they would be overly burdensome to fulfill, or that you need any further information, please be specific about what you consider vague.

Please include in any response about "reasonably described", or any request for narrowing, specific questions I can answer that would clarify matters for you; specific descriptions of what parts of the request more or less burdensome (and why) that could serve as the basis for negotiating a narrower request; and any indexes, finding guides, record categories, record storage practices, likely places that responsive records may be located, or similar information that would allow me to understand your concerns and better tailor the request.

No fees agreed to; non-commercial status; journalistic & public interest waiver

I am not currently willing to pay for servicing this request. I may be willing to pay if it is necessary; please send a detailed explanation of the costs and their statutory justification, and service the maximum extent of the request that can be done for free in the meantime.

This request is a qualified request for journalistic, public interest purposes. As such, I request fully waived fees, including both public interest fee waiver and journalistic fee waiver.

1. Fiat Fiendum, Inc. (FF) is a 501(c)(3) nonprofit organization, organized for charitable, educational, scientific, and/or literary purposes.

This request is a part of FF's bona fide educational and scientific purpose activities, which are public interest purposes as a matter of law.

2. FF's actions in matters such as this request are non-commercial. My personal interest in the records is also non-commercial.

3. Both Fiat Fiendum as an organization, and I as an individual, are representatives of the news media and entitled to waiver of all search fees.

4. I intend and am able to host and publish all received records online to the general public at no charge, as well to publish highlights, analyses, summaries, commentaries, and other creative, original journalistic and scientific work about responsive records through multiple online publications, as part of Fiat Fiendum's work.

5. The records requested are of significant public interest, entitled to waiver of all duplication fees, since

a. they are requested for 501(c)(3) public interest purposes;

b. as above, I both am able and intend to disseminate the files widely;

c. they would contribute greatly to the public understanding of the operations & activities of your agency, in that they are records that directly describe agency operations & activities, as well as the issues and matters described at the top of this letter;

d. they are not currently readily available; and

e. they are likely to be requested by others.

6. As mentioned above, I am explicitly not asking for any physical duplication, but rather direct server-to-server file transfer or email (or posting on your website). FOIA authorizes "duplication" fees strictly limited to your agency's actual costs, and mandates that your agency use the cheapest available requested methods. I consider the actual costs for server-to-server file transfer to be reasonably estimated by, e.g., Amazon S3's pricing (><https://aws.amazon.com/s3/pricing/><).

7. I request that, pending fee waiver determination or appeal, you proceed with this request as if it were in the "other non-commercial requester" category.

Requester

This request is made on behalf of both myself, Sai (in personal capacity) and Fiat Fiendum, Inc. (in official capacity).

"Sai" is my full legal name.

Please note that I am partially blind. I use screen readers (such as VoiceOver and TalkBack). I also need to process documents using computer code (which requires machine-readable data, including metadata). These facts must be considered as part of the basis for, and right to, the form and format requests detailed above.

Sincerely,

Sai

President, Fiat Fiendum, Inc.

Fiat Fiendum is a 501(c)(3) tax-exempt corporation devoted to public interest journalism, government transparency and accountability, individuals' civil rights, and related issues.

Upload link and physical mail address are below. (Again, do not physically mail responsive records without my explicit request; send all responses electronically.)

Filed via MuckRock.com

E-mail (Preferred): 75120-86186304@requests.muckrock.com

Upload documents directly:

>https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAdFil59xAqxSknkH26JPfSs0w%3A1haMQ4%3A0_DZ1vF6Pv1BKhpNPKv6zGNZPEM&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Foffice-of-science-and-technology-policy-8154%252Fone-email-per-organizational-unit-dated-2019-04-20-office-of-science-and-technology-policy-executive-office-of-the-president-75120%252F%253Femail%253Dostpfoia%252540ostp.eop.gov
Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 75120

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



FOIA No.	Date Rec'd	Requester	Subject	Simple/Complex	Final Reply Date	Comments/Disposition
19-001	10/2/2018	David Banks	Records pertaining investigations, OSTP policy concerning ethical conduct, copyright infringement, and etc.	Simple	7/2/2019	Records released in part
19-002	10/3/2018	Inis Hewlett	Request relating to The Director of The Office of Science and Technology Policy per Title 5 Chapter 78 sec. S201-S202	Complex	11/1/2018	No records (no responsive records)
19-003	10/4/2018	Jake Pearson	Communications sent or received between October 1, 2017, and today, October 4, 2018, by Deputy U.S. Chief Technology Officer Michael Krassios that contain the following phrases in either the body of the email or the email's metadata: • "Gentry Beach" • "Tom Hicks," "Tommy Hicks," or "Thomas Hicks Jr." • "OneWeb" • "Donald Trump Jr." "Don Jr." or "Donny"	Simple	6/14/2019	Released in part
19-004	10/5/2018	David Banks	1. Investigation of the credentials of OSTP deputy director; 2. Application by OSTP director Droege-meier, including supporting documents (e.g., curriculum vitae); 3. Investigation of the unedited copy of the 2005 paper Multiple Doppler Wind Analysis and Assimilation via 3DVAR using Simulated Observations of the Planned CASA Network and WSR-88D Radars in the 2007 paper: Assimilation of CASA and WSR-88D radar data via 3DVAR to improve Short term convective weather forecasting.	Simple	6/17/2019	Released in Part
19-005	10/11/2018	Jeremy Borden	From July 1, 2018 to present, requesting the ff: 1. FOIA Log 2. Michael Krassios daily calendar 3. OSTP visitor's Log 4. Any and all communications between OSTP and members of Congress and their staffs.	Complex		
19-006PA	10/12/2018	(b) (6)	Surveillance on his brain and body by any government or non-government agencies using technology of any kind, including but not limited to nanotechnology from 9/2008 to the present.	Simple	11/2/2018	No Responsive Docs
19-007	10/12/2018	Kevin Bogardus	Copies of all emails containing the phrases "Brett Kavanaugh" and/or "Kavanaugh" from 7/1/18 to 11/12/18 with the ff: Michael Krassios, Ted Wackler, Rachael Leonard, Andrew Mendoza, Sean Bonyun, Ross Gillfillan, Weston Loyd, and Alec Torres	Simple		
19-008R	10/15/2018	Emma Best	Referral from NARA: Security Classification Management Program Data report	Simple	11/2/2018	Released in part
19-009	10/19/2018	Chris Cardona	All active lodging contracts, Strong Bond events, conferences, BPAs and IDIQ's to include the following: 1. Award amount 2. Venue location 3. Vendor awarded 4. Contract number 5. Term of award, to include options 6. Start date 7. End date	Simple	11/19/2018	No Responsive Docs
19-010	11/5/2018	Chris Robinette	ADV GRANTS Your organization has made to the Microsoft Corp. over the period of FY2007 - FY2016	Simple	11/5/2018	No Responsive Docs
19-011	11/20/2018	Cerissa Caffaro	emails from Political appointees to White House (who.eop.gov) concerning Ivanka Trump.	Simple	12/4/2018	No Responsive Docs
19-012	11/23/2018	(b) (6)	Self	Complex	12/12/2018	No Responsive Docs
19-013	11/26/2018	Seth Bornstein	NCA4 Related Records	Simple		
19-014	11/27/2018	Donte Bronaugh	Exit Memos prepared in 2016 by Patil	Simple		
19-015	11/27/2018	Jesse Seidman	Emails from 9/1/18-11/25/18 mentioning "Black Friday" or "Friday after Thanksgiving" or "11/23"; or emails from Kelly, Conway, Kushner, Shine, or Trump.	Simple	12/20/2018	Released in part
19-016	12/3/2018	Ryan Shapiro	Krassios Calendar 9/1/18-11/30/2018	Simple		
19-017R	11/30/2018	Aaron Sankin	NTIA-White House Communications			
19-018	12/4/2018	Dave Levitan	Emails from OSTP w/ "IPCC" or "1.5 degrees"	Simple	7/31/2019	Released in part
19-019	12/4/2018	Dave Levitan	Emails from OSTP w/ "Climate Assessment" or "NCA" or "National Climate Report"	Simple		
19-020	12/10/2018	Bailey Bedford	"ShakeAlert" and "Federal funding"; "ShakeAlert" and "budget"; "earthquake early warning" and "budget"	Simple		
19-021	12/29/2018	Ajda Kahveci	booklet version of report on "CHARTING A COURSE FOR SUCCESS: AMERICA'S STRATEGY FOR STEM EDUCATION"	Simple	2/4/2019	Released in full
19-022	1/21/2019	David Miller	OSTP visitor logs posted on your website (https://www.whitehouse.gov/ostp/legal/) in their original text-based format (i.e. .csv files versus the scanned .pdf files)	Simple	2/19/2019	Released in part
19-023	1/31/2019	Justin Glawe	A log showing all FOIA requests made to the above-named agency a copy of the top agency official or Secretary's daily outlook calendar with all external parties for the Executive Office of the President - Office of Science and Technology	Complex		
19-024	2/11/2019	Anneke Von Seeger	spreadsheet of all email communications on congressional letterhead as well as emails sent from the members of the 115th and 116th Congress or their staffs, between the above-named agency and all members of Congress and their staffs in the time period covered	Simple	2/27/2019	Released in Part
19-025	2/15/2019	Rochelle Snyder	Transition briefings prepared for the incoming administration by the Obama administration in the 2016-2017 timeframe, particularly those relating to the office's work on USG data and making data publicly available	Complex	2/25/2019	No Responsive Docs
19-026	2/19/2019	Jolanta Kowallo	All OSTP Congressional Correspondence Logs or other records that track Congressional communications for correspondence received between January 1, 2007, and December 31, 2018.	Simple	3/19/2019	No Responsive Docs
19-027	2/25/2019	Russ Kick	The names and contact details, including email address of any/all person(s) who are involved in the decision making-process for the Procurement of Telecoms and IT Hardware and Services for your organization. (Eg Procurement, IT, Sustainability roles)	Simple	3/19/2019	Released in full
19-028R	12/28/2019	John Coffrancesco	Your agency's FOIA request log covering 2018, which includes a field showing the subject of each request and a field for the final disposition.	Complex	3/26/2019	Released in Full
19-029	3/1/2019	John Greenwald, Jr.	Referral from NARA: Records Management Self-Assessment (RMSA) report	Simple	3/27/2019	Released in Part
19-030	3/1/2019	Dr. Ryan Noah Shapiro	1) FOIA Case Log for calendar year 2018 (if your agency operates off of a fiscal year, that is also ok) 2) FOIA Appeals Log for calendar year 2018 (if your agency operates off of a fiscal year, that is also ok) 3) Mandatory Declassification Review (MDR) Log for calendar year 2018 (if your agency operates off of a fiscal year, that is also ok) All calendar or appointment books for any senior-most official at OSTP, excluding internal meetings with other staff of the Executive Office of the President from Dec 1, 2018 - Feb 28, 2019	Complex		

19-031	3/7/2019	Hart Wood Clay Goode Austin R. Evers	All email communications and associated attachments between OSTP official and Dr. William (Will) Happer, including any communications on which a OSTP custodian and/or Dr. Happer were copied or blind copied (b/c). Search should include communications involving Dr. Happer's email addresses happer@princeton.edu and whapper@nsc.epp.is.gov. Requester also seeks: All email communications and associated attachments between OSTP official and any email address ending in @co2allition.org, including any communications on which @co2allition.org email address is copied (cc) or blind copied (b/c). Furthermore, requester seeks all records reflecting any payments or gratuities (e.g. government-provided travel or meals) provided to Dr. William (Will) Happer for any purpose. Responsive date for records is from January 20, 2017 till the date of the search	Complex		
19-032	3/11/2019	Katalia Medrano	All written communication between representatives for the Pharmaceutical Research & Manufacturers of America and the Executive Office of the President, as well as between representatives for the Pharmaceutical Research & Manufacturers of America and the Vice President's Office, between January 2017 and the present	Simple	4/3/2019	No Responsive Docs
19-033	2/18/2019	Giovanni Balocchi	All emails exchanged by USGRP in regards to the authorship for the social science workshop and the scientific integrity misconduct investigation.	Simple	3/25/2019	Withdrawn
19-034	3/25/2019	(b) (6)	Any records regarding me (b) (6) or my time as a law clerk with OSTP and the Executive Office of the President, including any non-disclosure agreements, confidentiality agreements, or contracts to which I am subject	Simple	3/27/2019	Released in Full
19-035	3/25/2019	Benjamin Levitan Lance Bowman	Relating to any efforts or activities involving the White House--including but not limited to the National Security Council--pertaining to an actual or possible review or assessment of climate change, including climate science and climate change impacts.	Complex		
19-036	3/26/2019	Jamie Corey	All agency records regarding the Presidential Committee on Climate Security (PCCS), including but not limited to, agency records regarding the Deputies Committee Meeting on the Presidential Committee on Climate Security which took place on February 22, 2018 including but not limited to meeting minutes, correspondence and memos prepared in preparation for this meeting, and contemporaneous notes. All communications between, OSTP Director, Kevin Droegemeier and Will Happer, Patrick Moore, or any member or representative of the CO2 Coalition. To assist with your search for responsive records, one email address used by William Happer is happer@princeton.edu.	Complex		
19-037	3/26/2019	Michael Simmons	Electronic copies of all correspondence sent to or from Michael Krassios between the dates of November 5 - 9, 2018	Simple		
19-038	3/29/2019	Jesse Cozart	all correspondence and evidence of communication received or sent by USAID, including its employees, agents, or contractors, regarding the Z/yast products and the USAID Fighting Ebola Grant from 12/1/2014 - 9/15/2015	Simple		
19-039	4/8/2019	David Rogers	All Tesla research papers	Simple	6/3/2019	No responsive records
19-040	4/16/2019	John Power	Records, including emails, submissions, memos and briefings, addressing concerns or risks regarding the use of facial recognition technology developed by Yitu, Megvii, SenseTime, CloudWalk, or any other Chinese firm, for racial profiling	Simple	5/3/2019	No responsive records
19-041	4/16/2019	Daniel D'Arcy	The 2018 re-charter of the National Science and Technology Council's Open Science Subcommittee, All Minutes for the "Open Science" subcommittee meetings from January 20, 2017 to the Present, Any document since January 20, 2017 reflecting the "Open Science" subcommittee priorities, The most recent roster of the Subcommittee of Open Science members	Simple	5/14/2019	Released in Part
19-042	4/17/2019	Ryan Davies	Staff directory of the OFFICE OF SCIENCE AND TECHNOLOGY POLICY (OSTP) and the Office's predecessor, THE OFFICE OF SCIENCE & TECHNOLOGY (OST) for each administration since the office's establishment in 1951 & 1973.	Simple	6/7/2019	Released in Part
19-043	4/18/2019	Ryan Luther	On both of these lists, the date which the Director was appointed is a list of importance.	Simple		
19-044	4/29/2019	Nicholas Peterson	All correspondence between your agency and Rep. Dan Lipinski or Lipinski's office	Simple	5/17/2019	
19-045	5/6/2019	Anne Hunter	any and all records of any studies or reports which would have remotely informed the statement: President Trump stated: "The baby is born, the mother meets w/the doctor. They take care of the baby. They wrap the baby beautifully. Then the doctor and mother determine whether or not they will execute the baby."	Simple		
19-046	5/8/2019	Dan Humphreys	Copy (physical or digital) of a photograph which was taken during the White House Science Fair run by the OSTP. It is likely part of an archive of photographs taken that day of the President greeting students at the Science Fair.	Simple	5/17/2019	
19-047	5/9/2019	Emily Wilkins	Seeking "[a]ny direct correspondence between [OSTP] and U.S. Senator Thomas 'Thom' Tillis or the staff of Senator Thomas 'Thom' Tillis between January 2015-present." Also seeking "[a]ny direct correspondence between [OSTP] and North Carolina Representative Thomas 'Thom' Tillis or the staff of North Carolina Representative Thomas 'Thom' Tillis between May 2013 to December 2014." Requester would like letters, emails, reports and other relevant materials, but doesn't want secondary materials such as phone logs, notations of conversations etc.	Complex	6/6/2019	Released in part
19-048	5/13/2019	Samuel Biddle	Copies of Advisor to the President Ivanka Trump's schedule and calendar from January 1, 2019 until the latest possible date. I am also requesting all public details of her meetings with lawmakers, including who she met with, the date she met with them, and the topic of what was discussed.	Simple	5/17/2019	No Responsive Documents
19-049	5/16/2019	Mike Davis	All memos and letters authored by the Director of the Office of Science and Technology Policy (herein known as "the Director") or individual acting in the capacity of the Director and sent to any individual office of a Member of the U.S. Congress or an office of a U.S. Congressional Committee containing "National Science and Technology Council" or "NSTC" between January 3, 2017 and May 1, 2019.	Simple		
19-050	5/16/2019	India McKinney	[A]ny and all data provided to the third party vendor which is non-exempt on the typeform.com website here>https://whitehouse.typeform.com/to/t9QH as it appears that the White House has an agreement to collect public data on behalf of the US Government	Simple	6/13/2019	
19-051	5/31/2019	Rachel Williams	[A]ll data and reports submitted as of the receipt of the request through and associated with the Online Form or referring to the URL, the Tech Bias Story Sharing Tool, and its associated pages as the "Online Form" at the following link: https://whitehouse.typeform.com/to/t9QH or archived at https://web.archive.org/web/20190515215303/https://whitehouse.typeform.com/to/t9QH	Simple	6/13/2019	
19-051	5/31/2019	Rachel Williams	"Any and all correspondence between Sen. Steven Daines and/or the Office of Senator Steven Daines and the Office of Science and Technology Policy from January 3, 2015, through May 17, 2019." Direct correspondence should include letters, emails, reports etc, but requester doesn't want secondary material such as phone logs, notations of conversations etc.	Simple		

19-052	5/31/2019	Michael Martin	"Any and all correspondence between Sen. Cory Gardner and/or the Office of Sen. Cory Gardner and the Office of Science and Technology Policy from January 3, 2015, through May 17, 2019." Direct correspondence should include letters, emails, reports etc, but requester doesn't want secondary material such as phone logs, notations of conversations etc.	Simple		
19-053	5/31/2019	Xan Mandell	"Any and all correspondence between Sen. Joni Ernst and/or the Office of Sen. Joni Ernst and the Office of Science and Technology Policy from January 3, 2015, through May 9, 2019." Direct correspondence should include letters, emails, reports etc, but requester doesn't want secondary material such as phone logs, notations of conversations etc.	Simple		
19-054	5/31/2019	Geoffrey Dyck	"Any and all correspondence between Sen. Martha McSally and/or the Office of Sen. Martha McSally and the Office of Science and Technology Policy from January 3, 2019, through May 17, 2019." Direct correspondence should include letters, emails, reports etc, but requester doesn't want secondary material such as phone logs, notations of conversations etc.	Simple	7/2/2019	No Responsive Documents
19-055	5/31/2019	Michael Martin	"Any and all correspondence between Sen. John Cornyn and/or the Office of Sen. John Cornyn and the Office of Science and Technology Policy from December 2, 2002, through May 17, 2019." Direct correspondence should include letters, emails, reports etc, but requester doesn't want secondary material such as phone logs, notations of conversations etc.	Simple		
19-056	6/10/2019	Sai	<p>"[A]ll emails:</p> <ol style="list-style-type: none"> 1. from or to any email address, used in official capacity, of any person who, within 30 days of the time of the email, worked for: <ul style="list-style-type: none"> i) agency headquarters, ii) agency public relations, iii) agency counsel's office, or iv) any other component that regularly communicates with members of the press; and 2. containing any of the following phrases, regardless of capitalization or other minor variations: <ul style="list-style-type: none"> i) "on the record", ii) "off the record", iii) "on background", iv) "on deep background", v) "not for attribution", vi) "Chatham House rule", vii) "lobby terms", or viii) any synonymous phrases; and 3. that is in its original, native format (see below for details), as contained in either <ul style="list-style-type: none"> i) the agency's email / legal retention database(s) (such as Google Vault or similar service), or ii) the agency's email server(s) / database(s), searched directly. <p>This request explicitly treats as non-responsive any email records found by a search conducted by individual employee(s). Requester also requests: "all records relating to the fulfillment of this request, such as FOIA logs, documentation of searches, referral emails, etc."</p>	Complex		
19-057	6/10/2019	Sai	<p>"I hereby request, for every component agency, office, subcomponent, department, or other formal organizational unit, the single email (but see below re "All parts of the record") that:</p> <ol style="list-style-type: none"> 1. was sent within 3 days of 2019-04-20; 2. is from or to any email address, used in official capacity, of any person working for that organizational unit's highest-ranking set of people (e.g. headquarters, senior employees, etc) at the time of the email; 3. has an attachment larger than 50 KB; and 4. among all emails matching the above two constraints, has a sent timestamp closest to 2019-04-20, 4:20 pm (local time to the person whose email." 	Complex		

